

Title	Enforcement of Judgments (revise <i>Abstract of Judgment</i> (Form 982(a)(1)), <i>Notice of Levy</i> (Form EJ-150), and <i>Application for and Renewal of Judgment</i> (Form EJ-190))												
Summary	Three current forms used for enforcement of judgments would be revised to conform them to recent statutory changes and to reflect the suggestions of practitioners.												
Source	Civil and Small Claims Advisory Committee												
Staff	Patrick O'Donnell, Committee Counsel, 415-865-7665												
Discussion	<p><i>1. Abstract of Judgment</i> (Form 982(a)(1))</p> <p>Form 982(a)(1) was last amended, effective January 1, 1991. The revised form incorporates several of the proposals that have been received from practitioners. First, the caption of the form would be modified to include a box to indicate whether the form is an "Amended" abstract of judgment. Second, a new line (item 1e) would be added to state the date on which the original abstract of judgment was recorded. Third, a new line (item 3b) would be added to indicate whether the clerk has or has not certified the address of the judgment creditor.</p> <p><i>2. Notice of Levy</i> (Form EJ-150)</p> <p>Form EJ-150 was last revised effective January 1, 1985. It has been recommended that item 2 (the amount necessary to satisfy the judgment creditor's judgment) be modified to specifically provide spaces for the following:</p> <table> <tr> <td>a. Total amount due (less partial satisfaction)</td><td>\$</td></tr> <tr> <td>b. Levy fee</td><td>\$</td></tr> <tr> <td>c. Sheriff's disbursement fee</td><td>\$</td></tr> <tr> <td>d. Recoverable costs</td><td>\$</td></tr> <tr> <td>e. Total (a through d)</td><td>\$</td></tr> <tr> <td>f. Daily interest</td><td>\$</td></tr> </table> <p><i>3. Application for and Renewal of Judgment</i> (Form EJ-190)</p> <p>This form, which became effective July 1, 1983, has not been revised since that time. A county recorder has recommended that to make the form comply with Government Code section 27361.3, a line should be added (item 3c) to provide information about the recording of the original judgment that is being renewed.</p>	a. Total amount due (less partial satisfaction)	\$	b. Levy fee	\$	c. Sheriff's disbursement fee	\$	d. Recoverable costs	\$	e. Total (a through d)	\$	f. Daily interest	\$
a. Total amount due (less partial satisfaction)	\$												
b. Levy fee	\$												
c. Sheriff's disbursement fee	\$												
d. Recoverable costs	\$												
e. Total (a through d)	\$												
f. Daily interest	\$												
Attachments													

PLAINTIFF: DEFENDANT:	CASE NUMBER:
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INFORMATION ON ADDITIONAL JUDGMENT DEBTORS

<p>10. Name and last known address</p> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <p>Driver's license No. & state: <input type="checkbox"/> Unknown</p> <p>Social security No.: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>	<p>14. Name and last known address</p> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <p>Driver's license No. & state: <input type="checkbox"/> Unknown</p> <p>Social security No.: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>
<p>11. Name and last known address</p> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <p>Driver's license No. & state: <input type="checkbox"/> Unknown</p> <p>Social security No.: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>	<p>15. Name and last known address</p> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <p>Driver's license No. & state: <input type="checkbox"/> Unknown</p> <p>Social security No.: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>
<p>12. Name and last known address</p> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <p>Driver's license No. & state: <input type="checkbox"/> Unknown</p> <p>Social security No.: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>	<p>16. Name and last known address</p> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <p>Driver's license No. & state: <input type="checkbox"/> Unknown</p> <p>Social security No.: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>
<p>13. Name and last known address</p> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <p>Driver's license No. & state: <input type="checkbox"/> Unknown</p> <p>Social security No.: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>	<p>17. Name and last known address</p> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <div style="border: 1px solid black; height: 40px; width: 100%; margin-bottom: 10px;"></div> <p>Driver's license No. & state: <input type="checkbox"/> Unknown</p> <p>Social security No.: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>

18. ☐ Continued on attachment 18.

– INFORMATION FOR JUDGMENT DEBTOR –

1. The levying officer is required to take custody of the property described in item 1 in your possession or under your control.
2. You may claim any available exemption for your property. A list of exemptions is attached. **If you wish to claim an exemption for personal property, you must do so within 10 days after this notice was delivered to you or 15 days after this notice was mailed to you** by filing a claim of exemption and one copy with the levying officer as provided in section 703.520 of the Code of Civil Procedure. **If you do not claim an exemption, you may lose it and the property is subject to enforcement of a money judgment. If you wish to seek the advice of an attorney, you should do so immediately so that a claim of exemption can be filed on time.**
3. You are not entitled to claim an exemption for property that is levied upon under a judgment for sale of property. This property is described in the accompanying writ of sale. You may, however, claim available exemptions for property levied upon to satisfy damages or costs awarded in such a judgment.
4. You may obtain the release of your property by paying the amount of a money judgment with interest and costs remaining unpaid.
5. If your property is levied upon under a writ of execution or to satisfy damages and costs under a writ of possession or sale, the property may be sold at an execution sale, perhaps at a price substantially below its value. Notice of sale will be given to you. Notice of sale of real property (other than a leasehold estate with an unexpired term of less than two years) may not be given until at least 120 days after this notice is served on you. This grace period is intended to give you an opportunity to settle with the judgment creditor, to obtain a satisfactory buyer for the property, or to encourage other potential buyers to attend the execution sale.
6. All sales at an execution sale are final; there is no right of redemption.

– INFORMATION FOR PERSON OTHER THAN JUDGMENT DEBTOR –

1. If the property levied upon is in your possession or under your control and you do not claim the right to possession or a security interest, you must deliver the property to the levying officer. If you do not deny an obligation levied upon or do not claim a priority over the judgment creditor's lien, you must pay to the levying officer the amount that is due and payable and that becomes due and payable during the period of the execution lien, which lasts two years from the date of issuance of the writ of execution. You must execute and deliver any documents needed to transfer the property.
2. You must complete the accompanying Memorandum of Garnishee.
3. If you claim ownership or the right to possession of real or personal property levied upon or if you claim a security interest in or lien on personal property levied upon, you may make a third-party claim and obtain the release of the property pursuant to sections 720.010–720.800 of the Code of Civil Procedure.
4. **Make checks payable to the levying officer.**

ATTORNEY OR PARTY WITHOUT ATTORNEY (*Name and Address*):

TELEPHONE NO.:

FOR RECORDER'S USE ONLY

☐ Recording requested by and return to:ATTORNEY FOR (*Name*):

NAME OF COURT:

STREET ADDRESS:

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

PLAINTIFF:

DEFENDANT:

DRAFT-2

CASE NUMBER:

APPLICATION FOR AND RENEWAL OF JUDGMENT

FOR COURT USE ONLY

☐ Judgment creditor☐ Assignee of record

applies for renewal of the judgment as follows:

1. Applicant (*name and address*):2. Judgment debtor (*name and last known address*):

3. Original judgment

a. Case number (*specify*):b. Entered on (*date*):

c. Recorded:

(1) Date:

(2) County:

(3) Instrument No.:

4. ☐ Judgment previously renewed (*specify each case number and date*):5. ☐ Renewal of money judgment

- a. Total judgment \$
- b. Costs after judgment \$
- c. Subtotal (*add a and b*) \$ _____
- d. Credits after judgment \$
- e. Subtotal (*subtract d from c*) \$ _____
- f. Interest after judgment \$
- g. Fee for filing renewal application \$
- h. **Total renewed judgment** (*add e, f, and g*) . \$ _____

- i. ☐ The amounts called for in items a – h are different for each debtor.
These amounts are stated for each debtor on Attachment 5.

(Continued on reverse)

SHORT TITLE:	CASE NUMBER:
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6. ☐ Renewal of judgment for ☐ possession.
☐ sale.

a. ☐ If judgment was not previously renewed, terms of judgment as entered:


b. ☐ If judgment was previously renewed, terms of judgment as last renewed:

c. ☐ Terms of judgment remaining unsatisfied:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

.....
(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)